

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
)
v) CR. NO. 2:05cr267-T
) WO
PRESTON GRICE)

ORDER ON MOTION

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing was held in this case on November 7, 2005. I find that the credible testimony and information submitted at the hearing establishes by clear and convincing evidence that defendant has a lengthy criminal history including two arrests for weapons offenses, an assault conviction, and a conviction for possession, purchase and trafficking in cocaine. Officers found a shoulder held rocket launcher and several firearms, in addition to a substantial quantity of drugs, in a residence for which defendant possessed a key. Defendant has failed to appear on numerous traffic citations and has a previous arrest for attempting to elude police. This case involves a large quantity of drugs and the possibility of a substantial sentence for defendant if he is convicted. Defendant is charged with an offense for which a maximum sentence of ten years or more is prescribed, and he did not rebut the presumption that no conditions or combination of conditions will reasonably assure the appearance of the defendant or protect the community. Based on the foregoing, the court concludes that there are no conditions or combination of conditions which will reasonably assure the appearance of the defendant or protect the community and that the defendant should be detained.

Therefore, it is ORDERED that the defendant is committed to the custody of the

Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DONE, this 18th day of November, 2005.

/s/ Susan Russ Walker

SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE